



PATENT
ATTORNEY DOCKET NO.: 046124-5178

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Katsumi SHIBAYAMA

Application No.: 10/668,605

Filed: September 24, 2003

For: PHOTODIODE ARRAY AND METHOD
OF MAKING THE SAME

Confirmation No.: 1521

Group Art Unit: 2811

Examiner: Samuel A. Gebremariam

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the restriction requirement set forth in the Office Action mailed August 13, 2004, the Examiner required restriction under 35 U.S.C. § 121 between claims of Invention I (claims 1-2) and Invention II (claim 3). Applicant hereby elects without traverse the invention defined by the Examiner as Invention I (claims 1 and 2).

Applicant respectfully requests formal examination of this application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

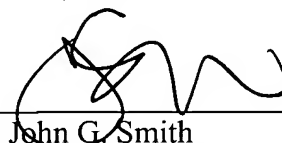
Respectfully submitted,

MORGAN, LEWIS & BOCKIUS, LLP

Dated: September 13, 2004

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202.739.3000

By: _____

A handwritten signature in black ink, appearing to be "John G. Smith", written over a horizontal line.

John G. Smith
Reg. No. 33,818

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$-0-

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	3	minus	20	0	x \$18 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$86 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$ -0-
SUB-TOTAL =						\$ -0-
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ -0-

6. Fee Payment

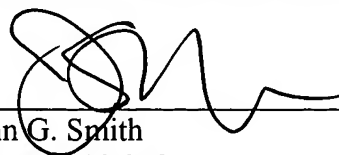
- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge \$-0- to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: September 13, 2004

By:


John G. Smith
Reg. No. 33,818

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